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jc962 U.S. PTO

# UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. **ONX-108/CIP**

Total Pages

First Named Inventor  
**BEHRANG BEHIN**Title  
**THREE DIMENSIONAL OPTICAL SWITCHES AND BEAM  
STEERING MODULES**jc962 U.S. PTO  
09/812066

03/17/01

APPLICATION ELEMENTS	ACCOMPANYING APPLICATION PARTS
1. <input type="checkbox"/> Fee Transmittal Form	9. <input type="checkbox"/> Assignment cover sheet and document(s)
2. <input checked="" type="checkbox"/> Applicant Claims Small Entity Status	10. <input type="checkbox"/> Power of Attorney by Assignee <input type="checkbox"/> with CFR 3.73(b) statement
3. <input checked="" type="checkbox"/> Specification Total Pages: <b>[ 53 ]</b>	11. <input type="checkbox"/> English Translation Document
4. <input checked="" type="checkbox"/> Drawing(s) Total Sheets: <b>[ 26 ]</b>	12. <input type="checkbox"/> IDS/PTO-1449 <input type="checkbox"/> with copies of cited references
5. <input type="checkbox"/> Oath or Declaration Total Pages: <input type="checkbox"/> a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application 1.63(d) (complete Box 17 and note Box 5 below) i. <input type="checkbox"/> Signed statement deleting inventors named in the prior application, see CFR 1.63(d)(2) and 1.33(b)	13. <input type="checkbox"/> Preliminary Amendment
6. <input type="checkbox"/> Incorporation by Reference (if 5b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated therein by reference.	14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)
7. <input type="checkbox"/> Microfiche Computer Program (Appendix)	15. <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Statement filed in prior application Status still proper and desired
8. <input type="checkbox"/> Nucleotide/Amino Acid Sequence Submission (all the following are necessary) a. <input type="checkbox"/> Computer Readable Copy b. <input type="checkbox"/> Paper Copy (identical to computer copy) c. <input type="checkbox"/> Statement verifying identity of above copies	16. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)
	17. <input checked="" type="checkbox"/> Request and Certification under 35 USC 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
	18. <input type="checkbox"/> Other:
19. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information: <input type="checkbox"/> continuation <input type="checkbox"/> divisional <input checked="" type="checkbox"/> CIP ...of prior application No.: <b>[ 09/536,164 ]</b>	

20. CORRESPONDENCE ADDRESS					
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Certificate of Mailing by "Express Mail"	
I hereby certify that I am mailing this correspondence on the date indicated below to the ASSISTANT COMMISSIONER FOR PATENTS, BOX PATENT APPLICATION, WASHINGTON, DC 20231 using the "Express Mail Post Office to Addressee" service of the United States Postal Service under 37 CFR 1.10.	
SIGNATURE <i>Ben Li</i>	DATE OF MAILING: <b>3/17/2001</b>
NAME OF PERSON SIGNING	EXPRESS MAIL LABEL NO: <b>ET 102224065 US</b>

**REQUEST AND  
CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

Attorney Docket No.: ONX-108/CIP

First Named Inventor  
**BEHRANG BEHIN**

Title  
**THREE DIMENSIONAL OPTICAL SWITCHES AND BEAM  
STEERING MODULES**

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Date

3/17/2001

Signature



Joshua D. Isenberg

Typed or Printed Name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**